

Message Text

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ACTION NEA-10

INFO OCT-01 ISO-00 INT-05 L-03 OES-06 TRSE-00 OMB-01 AID-05

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R 091640Z NOV 76

FM AMEMBASSY ALGIERS

TO SECSTATE WASHDC 5414

UNCLAS ALGIERS 2659

E.O. 11652: N/A

TAGS: TEGEN, AG, US

SUBJECT: USGS COOPERATIVE AGREEMENT WITH ALGERIA

REF: STATE 246252, ALGIERS 2420

1. EMBASSY HAS LEARNED FACTORS DELAYING PROGRESS USGS-HYDRAULIQUE AGREEMENT. APPROXIMATELY ONE MONTH AGO SEH LEGAL AND FINANCIAL COUNSELLOR DR. SMAIN MESSAOUD KHALDI, WHO PARTICIPATED IN NEGOTIATIONS WITH USGS AND WHO HAD PRIMARY RESPONSIBILITY FOR THE USGS DOSSIER, WAS FATALLY INJURED IN A GAS EXPLOSION AT HIS HOME. THE DOSSIER, CONTAINING MOST OF THE PERTINENT DOCUMENTS, ALSO WAS DESTROYED IN ENSUING FIRE.

2. SEH HAS APPOINTED SUCCESSOR TO DR. KHALDI, MOHAMMAD MERAD, WHO FORMERLY WITH BANQUE NATIONALE D'ALGERIE. MERAD CURRENTLY IN PROCESS RECONSTRUCTING DOSSIER.

3. REGARDING 200,000 DOLLAR ADVANCE PAYMENT, DELAY RESTS, UNKNOWINGLY WE SURE, IN HANDS OF USGS. ACCORDING ALGERIAN LEGAL AND GOVERNMENTAL FORMALITIES, FINAL STEP IN ACTIVATING THIS TYPE AGREEMENT IS FORMAL NOTIFICATION TO SUPPLYING PARTY THAT ALL RQUIRED APPROVALS HAVE BEEN OBTAINED. THIS WAS DONE BY MEANS OF AN "ORDRE DE SERVICE A L'ENTREPRENEUR", NUMBER 201, DATED 18 OCTOBER 1976, WHICH WAS SENT BY REGISTERED MAIL ADDRESSED TO "LE DIRECTEUR DU DEPT US OF THE INTERIOR "GEOLOGICAL
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SURVEY", RESTON VIRGINIA 22092 USA". THE CATCH-22 ASPECT OF THIS IS THAT IT IS NOT LEGALLY CONSIDERED

TO HAVE BEEN DELIVERED UNTIL SENDER (IN THIS CASE SEH) RECEIVES NOTIFICATION ACKNOWLEDGING RECEIPT. UNTIL THE NOTIFICATION RECEIVED BY SEH, BANK (IN THIS CASE BANQUE ALGERIENNE DE DEVELOPPEMENT) DOES NOT CONSIDER FORMALITIES COMPLETE AND WILL NOT AUTHORIZE PAYMENT. USGS WILL NOTICE, UPON LOCATING THE "ORDRE DE SERVICE A L'ENTREPRENEUR", THAT THE BOTTOM THIRD IS MARKED OFF WITH DASHED LINE. THIS BOTTOM THIRD IS THE OFFICIAL "NOTIFICATION", AND IT MUST BE CLIPPED, FILLED OUT TO SHOW DATE OF RECEIPT AND DATE OF THE "ORDRE" (OCTOBER 18, 1976), SIGNED BY USGS DIRECTOR AND RETURNED TO SEH. THIS OF COURSE CAN BE DONE VIA THE EMBASSY.

4. REGARDING INSURANCE, THIS WAS ONE PORTION OF DOSSIER COMPLETELY DESTROYED BY FIRE AT KHALDI HOME. EMBASSY PREPARING PAPER BASED ON FLEMING TO BURNS LETTER OF JUNE 25 WHICH WE WILL GIVE TO MERAD. HE SEEMS TO UNDERSTAND THE QUESTION BUT WANTS STUDY ITEMS A AND B IN FLEMING LETTER BEFORE RECOMMENDING DECISION TO MINISTER. WE HOPE THIS WILL BE FORTHCOMING SHORTLY.PARKER

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